

# UNDT/2021/073, Cherneva

## UNAT Held or UNDT Pronouncements

UNDT held that the application was not receivable both *ratione personae* and *ratione materiae* because at the date of the filing of the present application, the Applicant was not a staff member and the contested decision had no bearing on her status as a former staff member or otherwise breached the terms of her former appointment or contract of employment. UNDT rejected the application in its entirety.

## Decision Contested or Judgment/Order Appealed

The Applicant contested the alleged decision to “fire” the Director of Partnerships at UNICEF.

## Legal Principle(s)

UNDT is competent to hear and pass judgment on an application filed by, *inter alia*, a former staff member. However, for an application to be receivable, the former staff member shall “appeal an administrative decision that is alleged to be in non-compliance with their terms of appointment or their contract of employment.”

## Outcome

Dismissed as not receivable

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Cherneva

## Entity

UNICEF

## Case Number(s)

UNDT/GVA/2021/019

## Tribunal

UNDT

## Registry

Geneva

## Date of Judgement

25 Jun 2021

## Duty Judge

Judge Bravo

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Personal (ratione personae)

## Applicable Law

## Staff Rules

- Rule 3.1(b)

## UNDT Statute

- Article 2.1

## Related Judgments and Orders

2013-UNAT-335

2014-UNAT-406

2013-UNAT-313

UNDT/2018/081

UNDT/2020/074

UNDT/2021/003

2017-UNAT-727

2011-UNAT-171